



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MND, MNSD

Introduction

This hearing was scheduled in response to an application by the landlord for a monetary order as compensation for damage to the unit, site or property / and retention of the security deposit. Both parties participated and / or were represented in the hearing and gave affirmed testimony.

Issue(s) to be Decided

Whether the landlord is entitled to the above under the Act, Regulation or tenancy agreement.

Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the tenancy began on October 1, 2011. Monthly rent was \$850.00 and a security deposit of \$425.00 was collected. The parties agree that a move-in condition inspection report was completed, however, a copy of same is not in evidence before me. The tenancy ended on October 31, 2011. A move-out condition inspection report was not completed.

The landlord claims that the tenant did not properly clean the unit at the end of tenancy and, further, claims that the tenant is responsible for a damaged chair, broken dishes and damaged countertops in the bathroom and kitchen.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the landlord will retain one half of the security deposit in the amount of \$212.50;
- that the landlord will repay to the remaining half of the security deposit to the tenant in the amount of \$212.50, and that a monetary order will be issued in favour of the tenant to that effect;
- that the above payment will be made by cheque payable to the tenant;
- that the above cheque will be put into the mail by no later than midnight, Friday, January 27, 2012;
- that the above particulars comprise full and final settlement of all aspects of the dispute which arise out of this tenancy for both parties.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the tenant in the amount of \$212.50. Should it be necessary, this Order may be served on the landlord, filed in the Small Claims Court and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: January 25, 2012.

Residential Tenancy Branch